

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL JEFFERSON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-1491
)	JUDGE FISCHER
ALLEGHENY COUNTY, <i>et al.</i> ,)	MAGISTRATE JUDGE CAIAZZA
)	
Defendants.)	

MEMORANDUM ORDER

Michael Jefferson's ("Jefferson" or "the Plaintiff") Complaint filed pursuant to 42 U.S.C. §1983 was filed along with a petition to proceed in forma pauperis on October 25, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report, filed on November 1, 2007, recommended that the Motion for Summary Judgment filed by Defendants (Doc. 39) be granted with respect to all claims except for the claim that Defendant Slaby used excessive force. The parties were allowed ten days from the date of service to file objections. The Plaintiff's objections were due on or before November 19, 2007. The Plaintiff asked for an indefinite extension of time to file objections, but the Court denied same on November 14, 2007 (Doc. 47) noting that the Plaintiff's main

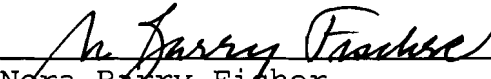
claim survives the motion, and that, in any event, he need only file a short statement, without citation to authority, in support of any objections he may have. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following ORDER is entered:

AND NOW, this 3rd day of November, 2007,

IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment (Doc. 39) is GRANTED with respect to all claims except for the claim that Defendant Slaby used excessive force.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 45), dated November 1, 2007, is adopted as the opinion of the court.


Nora Barry Fisher
United States District Court Judge

cc:
MICHAEL JEFFERSON
EF-1617
SCI Fayette
P. O. Box 9999
LaBelle, PA 15450-0999